

**Remarks**

The Examiner's objections and rejections have been carefully considered.

According to the examiner's request, the abstract, title and specification have been corrected.

In particular the abstract has been amended according to the objections raised on page 2 of the office communication; the title has been amended to read "magnetic sealing gasket", while the specification has been amended to correct misspelled words.

By means of the amendments made, claims 2-9, 11-12, 14-22 are in the present application.

In particular independent claims 1, 10 and 13 have been deleted and new independent claims 20, 21 and 22 have been added.

**CLAIM OBJECTIONS**

Claims 5-9, 18 and 19 were objected to under 37 CFR 1.75 (C) as being in improper form because a multiple dependent claim cannot be dependent from another multiple dependent claim. Claims 5-9, 18 and 19 have been corrected to each depend upon a single claim.

**CLAIM REJECTIONS 35 USC 112**

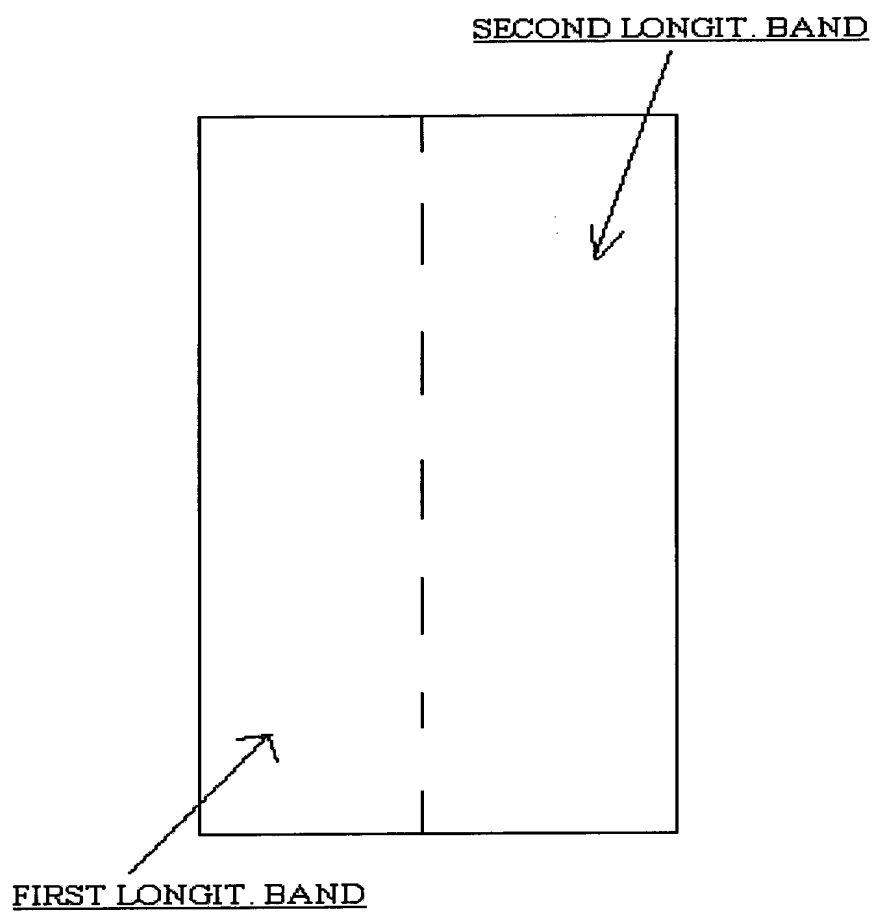
Claims 1-4 and 10-17 were rejected under 35 USC 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. Claims 1, 10 and 13 have been deleted and the

corresponding new independent claims 20, 21 and 22 avoid recitations such as "with magnetic closure", "door wings, doors", "the like"... Dependent claims 2-9, 11-12 and 14-19 have been amended to change their dependencies and in order to correct misspelled words. The rejection to the claims under 35 U.S.C. §112 should be withdrawn.

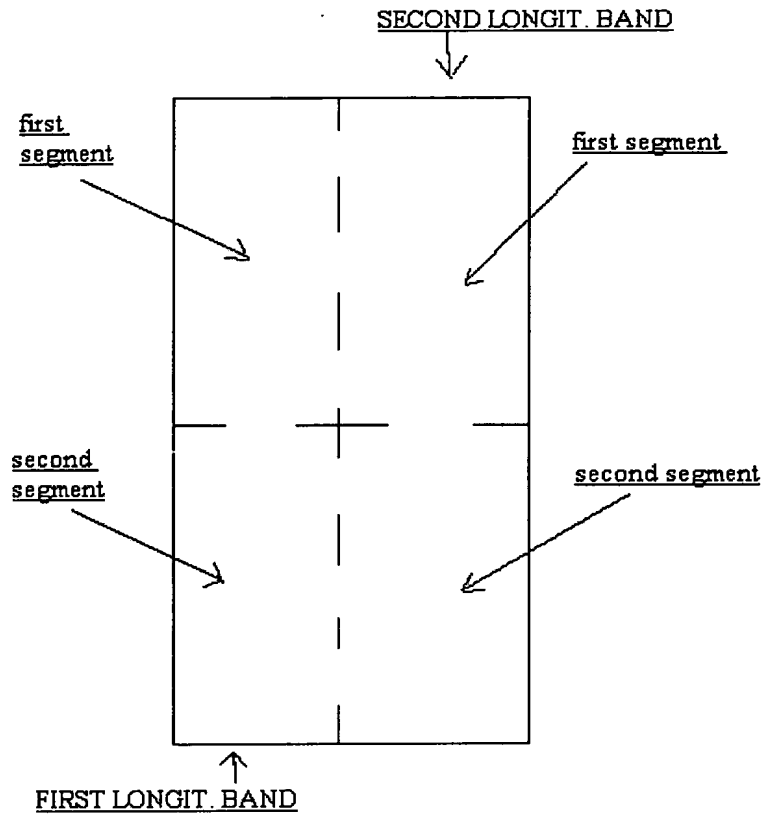
#### **CLAIM REJECTIONS 35 USC 102**

Claims 1, 3, 4 and 13-15 were rejected under 35 USC 102 (b) as being anticipated by Foley (US 2928145). Applicant has canceled claim 1. New independent claims 20-22 have been added. These claims distinguish over Foley. In particular the magnetic sealing gasket according to these claims comprises a one-piece magnetized element 5 with a main face on which different areas are identified as each having a particular polarity. Applicant's particular distribution of polarities are alternated both in longitudinal and in transverse direction.

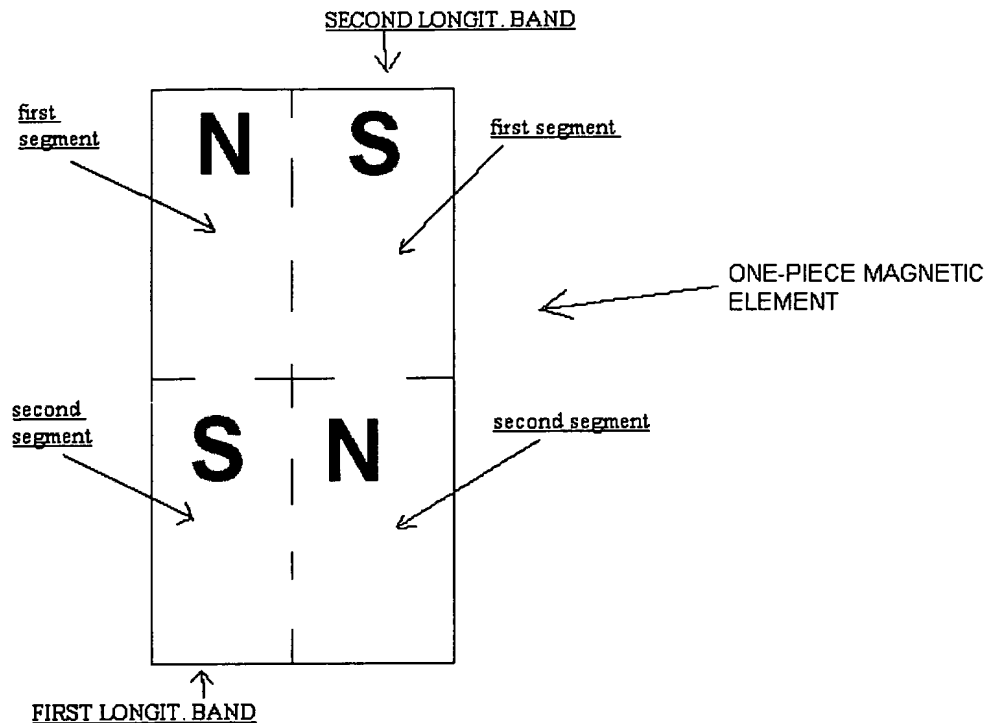
In applicant's claimed invention, at least first and second magnetized longitudinal adjacent bands 6, 7 are on said main face 5a.



Moreover each of said first and second magnetized longitudinal adjacent bands 6,7 is transversely subdivided into at least a pair of segments a, b; a, b substantially of equal length.



Each segment a, b of the first longitudinal band has opposite polarity with respect to the other segment b, a of the second first longitudinal band 6 of the same one-piece magnetic element 5.



As exemplified in figures 3, 4 and 5 of the present application, that longitudinal band 6 has, from top to bottom, a first segment a with South polarity and a subsequent segment b with North polarity. The second longitudinal band 7 is subdivided into segments a, b too. Each segment of the same longitudinal band is followed by a segment of equal length and opposite polarity. In figure 5, from top to bottom, we can note North polarity a, South polarity b, North polarity 6c and South polarity 6d. Also in the second longitudinal band 7 we can find opposite polarity in subsequent segment (see again figures 3, 4 and 5).

In addition to longitudinally segmented polarity, the claims 20-22 also require that each segment a, b of the first longitudinal band 6 is adjacent to a segment a, b of the second longitudinal band 7 having an opposite polarity with respect to the first.

As exemplified by figure 5 of the present application, from left to right there is a first segment a of the first longitudinal band 6 with North polarity and a first adjacent segment a

of the second longitudinal band 7 with opposite polarity (South). The same alternance of polarities can be seen also with respect to the second segments b, b of the first and second longitudinal bands 6, 7 and so on. Further, as exemplified in figure 4, from left to right, with respect to the first segments there is a North polarity 8a, adjacent with South polarity 9a, adjacent to a North polarity 10a then adjacent to a South polarity 11a.

The above claimed particular polarity distribution provides advantages. By using a magnetic sealing gasket with two identical magnetized elements as claimed allows to avoid any positioning errors of the gasket are avoided. For example, the use of a couple of magnetized elements such those shown in figure 3 (which are identically in shape and polarity distribution) causes the two magnetized faces (while facing) to always be in the correct position. The South polarity on a first magnetized element always corresponds to the North polarity on the main face of the second magnetized element.

The use of the claimed magnetized strip-shaped element allows a manufacturer to only produce a single type of symmetric gasket. An installer can reverse, upon mounting, one of the two gaskets to be coupled in order to obtain both a right gasket and left gasket. The manufacture and storage of two distinct gaskets are avoided with obvious benefits in term of costs.

Further, the ability to apply the gaskets with same metrical cross section in accordance with the invention without having to follow any mounting rule aimed at correctly position in the magnetic charges makes mounting fastener and simpler, preventing all possibilities of installing gaskets which, instead of magnetically attracting each other, are mutually repelled.

With respect to document US 2928145 it is respectfully submitted that it discloses two distinct magnetic elements each having a single longitudinal band with North and South

polarity in an alternate position. In other words, Foley does not disclose any one-piece magnetized element presenting on a main face a distribution of north and south polarities as the one now claimed.

As Foley does not disclose a single piece magnetized gasket element having on a main face a distribution of north and south polarities, as claimed by Applicant, Foley does not anticipate any of the newly presented claims 20-22. Thus, these claims are allowable over Foley. The remaining dependent claims, 2-19 include the allowable limitations of at least one of the newly presented claims. The dependent claims 2-19 are therefore also allowable over Foley.

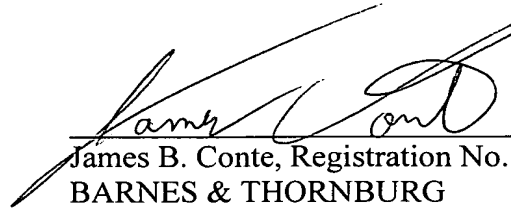
#### **Claim Rejections 35 U.S.C. §103**

The Action rejects claims 2, 10-12 and 16-17 as obvious in view of Foley and European Patent 559267 and Hill 5,990,218. To reject the dependent claims, the Action relies on its rejection of the base claims under Foley. As explained above, Foley does not anticipate the newly added base claims 20-22. None of the cited references are asserted for the proposition of making obvious any of the limitations in the base claims. Indeed, none of the cited references disclose a single magnetic sealing gasket having a main face with the claimed double distribution of polarities in transverse and longitudinal directions. In fact, the reference Baermann 3,862,515, not relied on by the Examiner, shows a one piece element with first and second longitudinal bands having alternate polarities in the longitudinal direction **but with the same polarities in the transverse direction.** As Applicant's dependent claims incorporate the limitations of the independent claims, these dependent claims are allowable.

**Conclusion**

Applicant has complied with each of the items raised in the Office Action. The pending claims are all in condition for allowance. A Notice of Allowance should now issue.

Respectfully submitted,



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